

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MEETING**  
**March 1, 2010**

The Tippecanoe County Commissioners met on Monday March 1, 2010 at 10:00 a. m. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President David S. Byers, and Member Thomas P. Murtaugh. Also present were: Attorney David W. Luhman, Auditor Jennifer Weston, Commissioner's Assistant Frank Cederquist, and Secretary Kay Muse. Commissioner Knochel called the meeting to order and led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

- Commissioner Byers moved to approve the minutes of the February 16, 2010 meeting, second by Commissioner Murtaugh; motion carried.

**PRESENTATION OF ACCOUNTS PAYABLE VOUCHERS**

Commissioner's Assistant Frank Cederquist recommended approval of accounts payable vouchers for February 17, 18, 19, 24, 25, 26, and March 1, 2010 as submitted with no exceptions.

**HIGHWAY-Opal Kuhl**

**Engineering Services Agreement from Butler, Fairman and Seufert, Inc**

Director Opal Kuhl presented a service agreement with Butler, Fairman, and Seufert, Inc. for approval. They have been recommended by the Indiana Department of Transportation (INDOT) to assist the County with American Recovery and Reinvestment Act (ARRA) projects. Since the County will be doing the construction and engineering in-house, along with all of the site manager responsibilities, INDOT recommended the County work with a company that has experience using a site manager and is familiar with INDOT procedures. This agreement states the hourly rates for different classifications of duties. The county will be able to have the company on call as needed; this should save a considerable amount of consulting fees.

- Commissioner Byers moved to accept the agreement from Butler, Fairman, and Seufert, Inc. as presented, second by Commissioner Murtaugh; motion carried.

**Maintenance Bond from West Point Telephone, Inc. dba TDS Telecom**

Director Kuhl presented a Maintenance Bond in the amount of \$5,000 from West Point Telephone, Inc. dba TDS Telecom. This is the standard bond received from utility companies that work in the county's right-of-way.

- Commissioner Murtaugh moved to accept the maintenance bond as presented, second by Commissioner Byers; motion carried.

**Warranty Deeds and Temporary Easements**

Director Kuhl recommended approval of the following Temporary Easements and Warranty Deeds:

Bridge #151 aka Hog Point Bridge Project

Warranty Deed for Parcel 1 – Samuel J. & Martha A. Brown in the amount of \$2,200  
 Personal Representative's Deed for Parcel 24 – Estate of Howard Gish in the amount of \$2,480  
 Warranty Deed for Parcel 3 – Lloyd W. & Dorothy A. Lempke in the amount of \$22,300

Warranty Deeds for Parcel 4 and 5 – Martha Brown in the amount of \$40,929  
 Warranty Deed for Parcel 14 – Robert L. Dunlap & Debra J. Lowe in the amount of \$9,425

- Commissioner Murtaugh moved to accept the Warranty Deeds for Bridge #151 as stated, second by Commissioner Byers; motion carried.

#### Tyler Road Project

Warranty Deed for Parcel 4– JoAnn VanNatta in the amount of \$5,070

- Commissioner Murtaugh moved to accept the Warranty Deed for Tyler Road Project as stated, second by Commissioner Byers; motion carried.

#### South River Road Project

Warranty Deed and Temporary Easement for Parcel 31 – Lisa J. Thomas in the amount of \$4,670 for the Warranty Deed and \$560 for the Temporary Easement

Warranty Deed and Temporary Easement for Parcel 32 – Andrew Repking in the amount of \$3,485 for the Warranty Deed and \$420 for the Temporary Easement

Warranty Deed, Temporary Easement, and Quit Claim Deed for Parcel 40 – Sherry Furry in the amount of \$15,260 for the Warranty Deed and \$925 for the Temporary Easement

- Commissioner Murtaugh moved to accept the Warranty Deeds, Temporary Easements, and Quit Claim Deed as stated for the South River Road Project, second by Commissioner Byers; motion carried.

#### **Opening of Request for Proposals for Countywide Bridge Inspection Project**

Director Kuhl stated it is required by INDOT that every four years the County take proposals for the next four years of inspections.

Attorney Dave Luhman opened and presented the following proposals for review:

Floyd E. Burroughs and Associates, Inc.  
 Butler, Fairman and Seufert, Inc.  
 H. Stewart and Kline Associates  
 Jansen and Spann Engineers  
 USI Consultants  
 Clark-Deets Engineering  
 Beam Longest and Neff, LLC  
 Stephan J. Christian and Associates, P.C.

- Commissioner Byers moved to take the stated proposals under advisement, second by Commissioner Murtaugh; motion carried.

#### **Supplemental Agreement #7 for McCarty Lane Extension**

Director Kuhl presented Supplemental Agreement #7 for approval. This is the re-design of the storm sewer for the McCarty Lane extension. It is in the amount of \$41,635 of which \$25,600 is for the re-design and \$16,035 is for right-of-way issues. This project will be ready for bidding some time this fall.

- Commissioner Murtaugh moved to approve the Supplemental Agreement #7 for the McCarty Lane Project as presented, second by Commissioner Byers; motion carried.

### **Resolution 2010-11-CM**

Director Kuhl presented Resolution 2010-11-CM for approval. The resolution will allow the interest earned from the Cumulative Bridge Fund to be placed into the Local Road and Street Fund. These funds will be used for local road resurface and repairs.

- Commissioner Byers moved to approve Resolution 2010-11-CM as presented, second by Commissioner Murtaugh; motion carried.

### **Coordination Contract with Indiana Department of Transportation (INDOT)**

Director Kuhl presented a Coordination Contract with INDOT for County Road 350 North. The contract is required by the American Recovery and Reinvestment Act (ARRA) and states that the county will spend federal funds as intended.

- Commissioner Byers moved to accept the Coordination Contract with INDOT as presented, second by Commissioner Byers; motion carried.

### ***BOARD OF ELECTIONS- Heather Maddox/Debbie Ingersoll***

#### **Election Day Vote Centers**

Co-Directors Heather Maddox and Debbie Ingersoll presented a list of Election Day Vote Centers for approval. St. Lawrence Church and Clarks Hill Christian Church have been added. McAllister Recreation Center has been removed. The election board has approved these changes to the vote centers.

- Commissioner Byers moved to approve the Election Day Vote Centers as presented, second by Commissioner Murtaugh; motion carried.

#### **Election Worker Contract and Satellite Absentee Contract**

Heather Maddox and Debbie Ingersoll presented the Election Worker Contract and Satellite Absentee Contract for approval. These are unchanged except for dates and some of the syntax as recommended by Attorney Dave Luhman. The amount of pay is unchanged; workers will be required to attend training per Indiana Code.

- Commissioner Murtaugh moved to approve the Election Worker Contract and Satellite Absentee Contract as presented, second by Commissioner Byers; motion carried.

### ***GRANTS-Laurie Wilson***

Grant Facilitator Laurie Wilson requested permission to apply for an Indiana Criminal Justice Institute Grant for Court Services in the amount of \$1,526.50; this will be for the trial of new curriculum to see if it better serves the population and is more suited to the problems being addressed.

- Commissioner Byers moved to grant permission to apply for the Grant as presented, second by Commissioner Murtaugh; motion carried.

### ***TIPPECANOE VILLA-DeAnna Sieber***

Director DeAnna Sieber presented a Renewal Agreement with SimplexGrinnell for the fire alarm inspections. The County has two options available, a 1-year contract for \$1,895 or a 3-year contract for \$1,795 per year. Ms. Sieber added the Villa does have additional equipment to inspect since the last

agreement. Any further addition of equipment would increase the cost of the inspections and require an amendment to the contract.

- Commissioner Murtaugh moved to approve the Renewal Agreement with SimplexGrinnell for the 3 year option, second by Commissioner Byers; motion carried.

#### ***ASSESSOR-Samantha Steele-Coles***

##### **First Addendum to Contract for General Reassessment**

Assessor Samantha Steele-Coles presented the First Addendum to the Contract for General Reassessment. This is a date change due to a change in legislation to postpone the General Reassessment originally scheduled from April 15, 2009 through March 1, 2011 to July 1, 2010 through March 1, 2012.

- Commissioner Murtaugh moved to approve the First Addendum to the Contract for General Reassessment as presented, second by Commissioner Byers; motion carried.

##### **Personal Property Assessment Software Update**

Commissioner Murtaugh stated that there are unresolved issues with the IDOX software and is recommending the approval of the AS2 software. The AS2 software is a very viable option and will keep the county moving forward with the personal property assessments. Commissioner Murtaugh stated that the cost would be less than the yearly maintenance for the IDOX software. Attorney Luhman added that not renewing the maintenance contract for the IDOX software is all that will be required to end that contract.

- Commissioner Murtaugh moved to approve the AS2 Contract for the personal property assessment software as presented, second by Commissioner Byers; motion carried.

#### ***ORDINANCE 2010-02-CM***

##### **Amending Tippecanoe County Code, Adding New Chapter 161, Wind Energy Conversion Systems**

Attorney Dave Luhman stated there have been several discussions pertaining to wind farm development. The Commissioners and several department heads have put together a proposed ordinance with respect to wind farms. Surrounding counties such as Benton, Carroll, and White have all enacted ordinances to deal with wind farm developments. There is currently a zoning ordinance that deals with the location of wind farms. This ordinance will deal with the standards for construction of wind farms; it will provide that the Building Commissioner will be responsible for issuing permits for construction of wind energy conversion systems and annual operating permits. It does provide that with respect to any large wind energy system the county anticipates that there would be an economic development agreement, a road and drainage agreement, and a separate decommissioning agreement to insure that, if the project were abandoned or discontinued it would be disassembled and removed. The ordinance considers safety, design, and installation standards similar to surrounding counties. Attorney Luhman stated that upon passing Ordinance 2010-02-CM there is a second ordinance to amend the fee schedule for the Building Commissioner's office to include those fees.

- Commissioner Byers moved to approve Ordinance 2010-02-CM as presented on first reading, second by Commissioner Murtaugh; motion carried.

Auditor Weston recorded the vote:

Byers	Yes
-------	-----

Knochel        Yes  
Murtaugh       Yes

Ordinance 2010-02-CM passed 3-0 on first reading.

***ORDINANCE 2010-03-CM***

**Amending Building Commissioner Fee Schedule to include associated fees for Wind Farms**

WECS ILP Building Permit Application Fee Deposits

Commercial WECS Towers	\$2,500 plus \$200 per tower
Non-commercial WECS Towers	\$2,500 plus \$200 per tower
Micro WECS Towers	\$100
Meteorological Towers	\$500 per tower

WECS Operating Permit Fees:

Commercial WECS Towers	\$1,250 plus \$100 per tower
Non-commercial WECS Towers	\$1,250 plus \$100 per tower
Micro WECS Towers	\$50
Meteorological Towers	\$100 per tower

- Commissioner Byers moved to approve Ordinance 2010-03-CM as presented on first reading, second by Commissioner Murtaugh; motion carried.

Auditor Weston recorded the vote:

Byers            Yes  
Knochel        Yes  
Murtaugh       Yes

Ordinance 2010-03-CM passed 3-0 on first reading. A second reading of these ordinances will be heard at a future date.

***APPOINTMENT TO COMMON WAGE BOARD***

The following appointments were presented for approval. Caren Shedd, Roy Meeks and David Lahr to the Tippecanoe County 2010 Bridge Rehabilitation Projects and Culvert Replacement Projects and David Lahr to the Lafayette School Corporation 2010 Construction and Renovation.

- Commissioner Byers moved to approve the appointments as presented, second by Commissioner Murtaugh; motion carried.

***UNFINISHED BUSINESS***

None

***NEW BUSINESS***

None

***REPORTS ON FILE***

Mail and Duplicating

Parks Department  
 Weights and Measures  
 Treasurer  
 Tippecanoe County Public Library

Reports are on file in the Commissioner's Office


***PUBLIC COMMENTS***

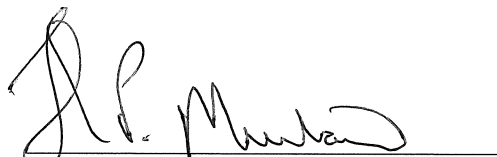
Sadie Harper Scott- as President of Tippecanoe County Church Women United Ms. Harper-Scott invites the public to celebrate World Day of Prayer on Friday March 5, 2010 at 1:30 p.m. at the Second Baptist Church located at 2925 South 18<sup>th</sup> Street. Also invited are Lafayette Police Officer Don Rausch, Journalist Sue Scott, and State Farm Agent Chantal Breedlove to come and speak with the children to which this event has been dedicated.

Commissioner Byers moved to adjourn.

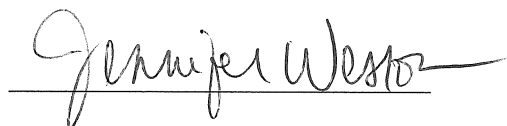
**BOARD OF COMMISSIONERS OF  
 THE COUNTY OF TIPPECANOE**

  
 John L. Knochel, President

  
 David S. Byers, Vice President

  
 Thomas P. Murtaugh, Member

**ATTEST:**

  
 Jennifer Weston, Auditor